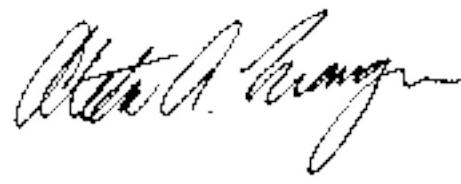


IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
AT NASHVILLE



MARION CRIGLER, FRED TAKACS, and MARY)
JANE DEWEY,)
Plaintiffs,)
vs.)
GREG RICHARDSON, CARROLL RICHARDSON,)
RICHARDSON INVESTMENTS, LLC of NASHVILLE,) No. 3:08-cv-0681
a Tennessee Limited Liability Company, METRO) Judge Aleta A. Trauger
ENVIRONMENTAL SERVICES, a Tennessee Limited) Magistrate Judge John A. Bryant
Liability Company, MICHAEL CARVER,)
CONSOLIDATED BUILDERS, LLC, a Tennessee)
Limited Liability Company, GORDON & ASSOCIATES)
CO., INC., a Tennessee Corporation, JACK WINTERS,)
IMI TENNESSEE, INC., a Tennessee Corporation,)
MICHAEL CARVER, JR, TRIPLE S of KENTUCKY,)
INC., a Kentucky Corporation, TRACY SIMPSON,)
SHAYNE HARRIS, S-HARRIS CONSTRUCTION, LLC,)
a Tennessee Limited Liability Company, BUZZI-UNICEM,)
USA, INC., a Corporation, and LONE STAR)
INDUSTRIES, INC., a Tennessee Corporation,)
Defendants.)

GREG RICHARDSON, CARROLL RICHARDSON, and)
and RICHARDSON INVESTMENTS, LLC of)
NASHVILLE,)
Third Party Plaintiffs / Cross Claimants,)
vs.)
GORDON & ASSOCIATES CO., INC., JACK WINTERS,)
IMI TENNESSEE, INC., BETTY CARVER, LLC, a)
Tennessee Limited Liability Company, TRIPLE S of)
KENTUCKY, INC., TRACY SIMPSON, LONE STAR)
INDUSTRIES, INC, and BUZZI-UNICEM, USA, INC.,)
Third Party Defendants / Defendants.)

**MOTION TO STRIKE MOTION PROTECTIVE ORDER
PREVIOUSLY FILED BY METRO ENVIRONMENTAL
SERVICES, LLC, MICHAEL CARVER, SR., AND MICHAEL CARVER, II**

Come now Metro Environmental Services, LLC, Michael Carver, Sr. and Michael Carver, II (collectively the “MES Defendants”) and move to strike their previously filed Motion for Protective Order (Docket Entry No. 260). It appears that there was a miscommunication between counsel for the plaintiffs and counsel for the MES Defendants. The plaintiffs are not opposed to moving the deposition of Regina Patton from October 13, 2010 to a later date on which counsel for the MES Defendants can attend. Accordingly, the MES Defendants strike their previously filed Motion for Protective Order.

This the 10th day of October, 2010.

Respectfully submitted,

WATKINS & McNEILLY, P.L.L.C.

By: /s/ Samuel P. Helmbrecht

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*Attorneys for the defendants Metro Environmental Services,
LLC, Michael Carver, Sr. and Michael Carver, Jr.*